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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Harrington, *et al.*

Application No.: 09/484,331

Filed: January 18, 2001

For: **COMPOSITIONS AND METHODS
FOR NON-TARGETED ACTIVATION
OF ENDOGENOUS GENES**

Group Art Unit: 1632

Examiner: Shukla, R.

Attorney Docket No.: 0221-0003L

BOX DD

Commissioner of Patents
Washington, D.C. 20231

**THIRD SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

Sir:

06/13/2001 TGEDAMU1 00000045 500622 09484331

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Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of document AI2 is submitted herewith. The cite number is based on the last cite number in the Information Disclosure Statement.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available

to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants also bring to the Examiner's attention co-pending related Application Nos. 09/276,820, 09/455,659, 09/479,122, 09/479,123, 09/481,282, 09/481,355, 09/481,375, 09/484,317, 09/484,743, 09/484,895, 09/484,996, 09/484,997, 09/513,574, 09/513,575, 09/513,997, 09/515,123, 09/729,416 and 09/760,897.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This Information Disclosure Statement is being filed in accordance with 37 C.F.R. § 197(c), after a first Office Action on the merits and before a final Office Action or Notice of Allowance. Accordingly, under 37 C.F.R. § 197(c)(2), Applicants submit herewith the fee as set forth in 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. **50-0622**, referencing Attorney Docket No. **0221-0003L**.

Respectfully submitted,

SHANKS & HERBERT

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Date: June 8, 2001

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